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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/636,232

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Fred S. Cook

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 04/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,232

Applicant(s)

COOK, FRED S.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 15-28, & 35-40 are rejected under 35 U.S.C. 102 (b) as being anticipated by Patel.

1. Regarding claim 1, Patel disclosed A method of registering (personal telephone number) a user with a communication system (Abstract), the method comprising:

in the portable user device (personal communicator), initiating a telephone call in the communication system by automatically transferring call tones from the portable user device to a telephone device in response to the user registration input; in the portable user device, transferring audible user identification tones over the telephone call; (DTMF; Col.11; 20-35)

in the control system (col.8; 7-40), receiving the audible user identification tones and in the control system, a location indicator, and, in the control system, processing the audible user identification tones and in the control system, the location indicator to transfer a route instruction to direct communications for the user to a communication device associated with the location indicator. (Col.11; 44-55)

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2. Regarding claim 2, Patel disclosed The method of claim 1 wherein transferring user identification tones over the telephone call comprises:

in the control system, transferring answer tones over the telephone call in response to answering the telephone call; and

in the portable user device, receiving the answer tones over the telephone call, and in response, automatically transferring the audible user identification tones from the portable user device over the telephone call. (Col.11; 20-55)

3. Regarding claim 3, Patel disclosed The method of claim 1 wherein transferring the audible user identification tones over the telephone call comprises waiting for a time period after transferring the audible call tones for the telephone call to be established and then transferring the audible user identification tones from the portable user device over the telephone call. (Col.8; 10-33)

4. Regarding claim 4, Patel disclosed The method of claim I wherein receiving the location indicator in the control system comprises receiving Automatic Number Identification (ANI) from a telephone network indicating a telephone number of the telephone.
(Col.7; 25-42)

5. Regarding claim 5, Patel disclosed The method of claim I wherein receiving the location indicator in the control system comprises:

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in the control system, transferring location request tones over the telephone call to the telephone device if Automatic Number Identification (ANI) is not available; (Col.7; 25-42)

in the user device, receiving the location request tones, and in response, indicating to the user that input of the location indicator is required; and

in the control system, receiving location tones to the telephone device from the telephone representing the location indicator. (Col.11; 20-55)

6. Regarding claim 6, Patel disclosed The method of claim 5 further comprising, in the user device, receiving a user location input, and in response, transferring the location tones to the telephone. (DTMF; Col.11; 20-55)

7. Regarding claim 7, Patel disclosed The method of claim 5 wherein the location indicator comprises a telephone number of the telephone. (Col.7; 25-42)

8. Regarding claim 8, Patel disclosed The method of claim 1 further comprising:
in the control system, processing the user identification tones and the location indicator to transfer acceptance tones over the telephone call; (Col.11; 20-55) and
in the user device, receiving the acceptance tones over the telephone call, and in response, indicating successful registration to the user. (Col.11; 20-55)

15. Regarding claim 15, Patel disclosed A method of operating a portable user device to register a user with a communication system (Abstract), the method comprising:

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receiving a user registration input in a device controller of the portable user device, in response to the registration input, the device controller transferring a call signal to a tone generator of the portable user device (DTMF) and transferring a user identification signal to the tone generator; (Col.11; 20-35)

receiving the call signal in the tone generator, and in response to the call signal, the tone generator transferring audible call tones from the portable user device to a telephone device to initiate a telephone call; receiving the user identification signal in the tone generator from the device controller, and in response to the user identification signal, the tone generator transferring audible user identification tones from the portable user device to the telephone device. (Col.11; 44-55)

16. Regarding claim 16, Patel disclosed The method of claim 15 wherein transferring the user identification signal to the tone generator further comprises:

receiving answer tones in the tone detector, and in response, transferring an answer signal to the device controller; (Col.11; 20-35) and

receiving the answer signal in the device controller, and in response, transferring the user identification signal to the tone generator. (Col.11; 44-55)

17. Regarding claim 17, Patel disclosed The method of claim 15 further comprising:

receiving acceptance tones in the tone detector, and in response, transferring an acceptance signal to the device controller; receiving the acceptance signal in the device controller, and in response, transferring an indication signal to an indicator; and receiving the

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indication signal in the indicator, and in response, indicating successful registration to the user.

(Col.11; 20-55)

18. Regarding claim 18, Patel disclosed The method of claim 15 further comprising:

receiving location request tones in the tone detector, and in response, transferring a location request signal to the device controller; receiving the location request signal in the device controller, and in response, transferring an indication signal to the indicator; and receiving the indication signal in the indicator, and in response, indicating to the user that input of a location indicator is required. (Col.11; 20-55)

19. Regarding claim 19, Patel disclosed The method of claim 18 wherein the location indicator comprises a telephone number of the telephone. (Col.7; 25-42)

20. Regarding claim 20, Patel disclosed The method of claim 18 further comprising:

receiving a user location input representing the location indicator in the device controller, and in response, transferring a location signal to the tone generator; receiving the location signal in the tone generator, and in response, transferring location tones representing the location indicator from the user device to the telephone device. (Col.11; 20-55)

21. Regarding claim 21, Patel disclosed A communication system for registering a user (Abstract), the communication system comprising:

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a portable user device configured to receive a user registration input, automatically transfer call tones to a telephone device in response to the user registration input to initiate a telephone call in the communication system, and to transfer user identification tones over the telephone call; (DTMF; Col.11; 20-35) and

in a control system, answering the telephone call and receiving the audible user identification tones and a location indicator, and in response, processing the audible user identification tones and the location indicator to transfer a route instruction to direct communications for the user to a communication device associated with the location indicator. (Col.11; 44-55)

22. Regarding claim 22, Patel disclosed The communication system of claim 21 wherein: the control system is configured to transfer answer tones over the telephone call in response to answering the telephone call; the user device is configured to receive the answer tones over the telephone call, and in response, automatically transfer the user identification tones over the telephone call. (Col.11; 20-55)

23. Regarding claim 23, Patel disclosed The communication system of claim 21 wherein the user device is configured to wait for a time period after transferring the call tones for the telephone call to be established and then transfer the user identification tones over the telephone call. (Col.8; 10-33)

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24. Regarding claim 24, Patel disclosed The communication system of claim 21 wherein the control system is configured to receive Automatic Number Identification (ANI) from a telephone network indicating a telephone number of the telephone as the location indicator. (Col.8; 10-33)

25. Regarding claim 25, Patel disclosed The communication system of claim 21 wherein:
the control system is configured to transfer location request tones over the telephone call if Automatic Number Identification (ANI) is not available, and to receive location tones from the telephone representing the location indicator; (Col.8; 10-33) and

the user device is configured to receive the location request tones, and in response, indicate to the user that input of the location indicator is required. (Col.11; 20-55)

26. Regarding claim 26, Patel disclosed The communication system of claim 25 wherein the user device is configured to receive a user location input, and in response, transfer the location tones to the telephone. (Col.11; 20-55)

27. Regarding claim 27, Patel disclosed The communication system of claim 25 wherein the location indicator comprises a telephone number of the telephone. (Col.8; 10-33)

28. Regarding claim 28, Patel disclosed The communication system of claim 21 wherein:
the control system is configured to process the user identification tones and the location indicator to transfer acceptance tones over the telephone call; (Col.11; 20-55) and

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the user device is configured to receive the acceptance tones over the telephone call, and in response, indicate successful registration to the user. (Col.11; 20-55)

35. Regarding claim 35, Patel disclosed A user device for registering a user with a communication system (Abstract), the user device comprising:

a device controller configured to receive a user registration input, and in response, transfer a call signal and transfer a user identification signal; (Col.11; 20-35) and

a tone generator (DTMF) configured to receive the call signal, and in response, transfer audible call tones from the portable user device to a telephone device to initiate a telephone call in the communication system, receiving the user identification signal in the tone generator, and in response, transferring audible user identification tones from the portable user device to the telephone device and over the telephone call. (Col.11; 44-55)

36. Regarding claim 36, Patel disclosed The user device of claim 35 wherein:

the tone detector is configured to receive answer tones, and in response, transfer an answer signal to the device controller; and the device controller is configured to receive the answer signal, and in response, transfer the user identification signal to the tone generator. (Col.11; 20-55)

37. Regarding claim 37, Patel disclosed The user device of claim 35 wherein:

the tone detector is configured to receive acceptance tones, and in response, transfer an acceptance signal to the device controller; the device controller is configured to receive the

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acceptance signal, and in response, transfer an indication signal; and further comprising an indicator configured to receive the indication signal, and in response, indicate successful registration to the user. (Col.11; 20-55)

38. Regarding claim 38, Patel disclosed The user device of claim 35 wherein:

the tone detector is configured to receive location request tones, and in response, transfer a location request signal to the device controller; the device controller is configured to receive the location request signal, and in response, transfer an indication signal; and further comprising an indicator configured to receive the indication signal, and in response, indicate to the user that input of a location indicator is required. (Col.11; 20-55)

39. Regarding claim 39, Patel disclosed The user device of claim 38 wherein the location indicator comprises a telephone number of the telephone. (Col.8; 10-33)

40. Regarding claim 40, Patel disclosed The user device of claim 38 wherein:

the device controller is configured to receive a user location input representing the location indicator, and in response, transfer a location signal to the tone generator; the tone generator is configured to receive the location signal, and in response, transfer location tones representing the location indicator from the user device. (Col.11; 20-55)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-14, & 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel in view of Uranaka et al.

9. Regarding Claim 9, Patel disclosed all the particulars of the claim except the communication device comprises another telephone. However, Uranaka teaches in an analogous art, that The method of claim 1 wherein the communication device comprises another telephone. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises another telephone in order to provide a reliable routing between two devices.

10. Regarding Claim 10, Patel disclosed all the particulars of the claim except the communication device comprises a computer. However, Uranaka teaches in an analogous art, that The method of claim 1 wherein the communication device comprises a computer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a computer in order to provide routing the call when telephone not available.

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11. Regarding Claim 11, Patel disclosed all the particulars of the claim except the communication device comprises a video terminal. However, Uranaka teaches in an analogous art The method of claim 1 wherein the communication device comprises a video terminal. (Col.43; 28-37) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a video terminal in order to establish a video communication between two devices.

12. Regarding Claim 12, Patel disclosed all the particulars of the claim except the communication device comprises a facsimile machine. However, Uranaka teaches in an analogous art The method of claim 1 wherein the communication device comprises a facsimile machine. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a facsimile machine in order to establish a data communication between two devices.

13. Regarding Claim 13, Patel disclosed all the particulars of the claim except the communication device comprises a LAN printer. However, Uranaka teaches in an analogous art that, The method of claim 1 wherein the communication device comprises a LAN printer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a LAN printer in order to establish a data communication between two devices.

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14. Regarding Claim 14, Patel disclosed all the particulars of the claim except the communication device comprises a network drive. However, Uranaka teaches in an analogous art that, The method of claim 1 wherein the communication device comprises a network drive. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises network drive in order to provide a reliable routing between two devices.

29. Regarding Claim 29, Patel disclosed all the particulars of the claim except the communication device comprises another telephone. However, Uranaka teaches in an analogous art, that The communication system of claim 21 wherein the communication device comprises; another telephone. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises another telephone in order to provide a reliable routing between two devices.

30. Regarding Claim 30, Patel disclosed all the particulars of the claim except the communication device comprises a computer. However, Uranaka teaches in an analogous art, that The communication system of claim 21 wherein the communication device comprises a computer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a computer in order to provide routing the call when telephone not available.

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31. Regarding Claim 31, Patel disclosed all the particulars of the claim except the communication device comprises a video terminal. However, Uranaka teaches in an analogous art The communication system of claim 21 wherein the communication device comprises a video terminal. (Col.43; 28-37) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a video terminal in order to establish a video communication between two devices.

32. Regarding Claim 32, Patel disclosed all the particulars of the claim except the communication device comprises a facsimile machine. However, Uranaka teaches in an analogous art The communication system of claim 21 wherein the communication device comprises a facsimile machine. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a facsimile machine in order to establish a data communication between two devices.

33. Regarding Claim 33, Patel disclosed all the particulars of the claim except the communication device comprises a LAN printer. However, Uranaka teaches in an analogous art that, The communication system of claim 21 wherein the communication device comprises a LAN printer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a LAN printer in order to establish a data communication between two devices.

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34. Regarding Claim 34, Patel disclosed all the particulars of the claim except the communication device comprises a network drive. However, Uranaka teaches in an analogous art that, The communication system of claim 21 wherein the communication device comprises a network drive. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises network drive in order to provide a troubleless communication between two devices.

Applicant's arguments filed on 1/30/2004 have been considered but they are not persuasive.

Applicant respectfully disagree about the cited passage in the given references. However, the determination of obviousness is still based upon the Patel's references as follows.

Applicant argues that Patel does not *automatically register the user*, but the claim only recites that automatically transferring call tones from the portable user device to a telephone device in response to the user registration input, which Patel meets the limitation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (8:45-6:15) alternate Fri.(8:45-5:15).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria
April 8, 2004


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